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DOCUMENT - UNITED KINGDOM: DALE FARM TRAVELLERS FACE FORCED EVICTION

UA: 245/11Index: EUR 45/013/2011 United Kingdom Date: 15 August 2011

URGENT ACTION

DALE FARM TRAVELLERS FACE FORCED EVICTION

Up to 86 Irish Traveller families living at Dale Farm face a forced eviction following legal notice from the local authority . The proposed forced eviction would leave many Travellers living at Dale Farm homeless or without adequate alternative housing.

On 4 July, Basildon Council gave written notice of eviction to 86 families living at Dale Farm in Cray's Hill, Essex, telling them to vacate their plots by 31 August. The notice applies to between 300 and 400 residents occupying sites which the Council regards as 'unauthorized developments'. The notice states that 'water and electricity supply will be cut off during the site clearance process' and that the eviction will involve removing or demolishing portable and permanent structures, and digging up paved areas. According to local NGOs, the eviction notices were taped to caravan doors and were not individually addressed or handed to residents. Many residents said that they could not read or fully understand pre-eviction questionnaires the Council gave them in April, due to their limited literacy.

The proposed eviction would leave residents of Dale Farm without adequate alternative accommodation, and without access to essential services such as schooling for children and continuous medical treatment for residents with serious illnesses. In many cases residents fear they will be left homeless. Many Irish Travellers at Dale Farm expressed concern about wider discrimination against their community, and feared they would be unable to find a home that they consider culturally adequate if a negotiated settlement was not reached. There has been no genuine consultation consistent with international human rights standards on options for alternative culturally adequate housing for those affected. While some have been offered 'bricks and mortar' housing, many do not want this, and the Council has not offered alternative culturally adequate housing to all those residents facing eviction.

On 5 August the UN Special Rapporteur on the right to adequate housing and the UN Independent Expert on minority issues called for an agreement on relocation in conformity with international human rights standards and emphasized the needs of residents with disabilities or

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ADDITIONAL INFORMATION

Under international law, evictions may be carried out only as a last resort, once all alternatives have been explored in genuine consultation with the affected communities. The authorities then have a duty to provide them with adequate notice; legal remedies, adequate alternative housing (including culturally adequate housing) and compensation. They must ensure no one is made homeless or vulnerable to the violation of other human rights as a consequence of eviction.

Irish Travellers are an ethnic group, originally from Ireland, who are recognized and protected as an ethnic group in English law. Many Irish Travellers live in caravans on unauthorized encampments or on authorized sites. A shortage in site provision following legislative changes in the mid-1990s removing the obligation on local authorities to provide sites for Travellers has meant that in recent years many Travellers have either had to live in unauthorized settlements or in 'bricks and mortar' housing. The same legislative changes also increased police powers to evict Travellers from a wide variety of sites including common land and highway verges. Irish Travellers, along with other Romani, Travellers and Gypsies in the UK, face widespread discrimination and significant obstacles in being able to fully enjoy their economic, social and cultural rights, including housing, education and health. This discrimination against and marginalization of Romani, Gypsies and Travellers in the UK has been documented by reports conducted by NGOs, international organizations and government studies.

Dale Farm, which is located on land owned by some Traveller, Romani and Gypsy families is the UK's largest Traveller settlement. Part of Dale Farm was granted permission for residential use, and is regarded by Basildon Council as 'authorized'. The part of Dale Farm where up to 400 Irish Traveller residents now face forced eviction, however, has repeatedly been denied planning permission for residential use on the basis of local zoning restrictions. Some residents in the 'unauthorized' portion have lived there for over 11 years, and told Amnesty International that they have never before lived in one place for that long without being forcibly evicted or 'moved on' by police. Amnesty International delegates conducted two site visits to Dale Farm in April and May 2011, following the Council's March 2011 to "undertake a site clearance". The delegates spoke with several Irish Traveller residents of Dale Farm, local NGO volunteers, and representatives of the Dale Farm Housing Association and Gypsy and Traveller associations. The residents feared that a forced eviction would uproot the children of Dale Farm from a school that has served the community for several years, and potentially move them to

a new school environment where they could face discrimination. Seriously ill residents raised anxieties about the effect of the planned eviction on their access to continuing medical care. NGO volunteers expressed serious concern about the negative impact on the health of seriously ill residents and those families with young children of cutting off electricity and water supplies. Several residents said that the Council has not provided a culturally adequate alternative, and feared that their extended family would be destroyed by breaking extended families up into groups and requiring some to live in "bricks and mortar" housing rather than caravans.

Amnesty International wrote to local and central authorities raising concerns about the planned eviction. Basildon Council responded by stating that it did not accept that an eviction "would be a violation of human rights or indeed unlawful in any way" but made no reference to its obligations under international and regional human rights law and standards. The central government is in the process of proposing new planning guidelines, which are expected to contain stronger enforcement powers for local authorities to evict unauthorized sites. It has been reported that the planned eviction and the related policing operation could cost up to £18 million. Representatives of the Traveller community say that land has been made available to Basildon Council in the area for alternative site provision at a fraction of that cost, but that their applications to use such land for accommodating Dale Farm residents have been refused by the Council. The United Nations Committee on the Elimination of Racial Discrimination has in the past expressed its concerns about the proposed forced eviction of Dale Farm, and a delegation from the Council of Europe's Framework Convention for the Protection of National Minorities visited Dale Farm in March 2011.

Name: 86 families

Gender m/f: Both

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